

EXHIBIT 6

**For Federal criminal case filing
-- FIFTH ADDITIONAL EVIDENCE**

**DECLARATION IN SUPPORT OF DOCUMENT
#128, #128-1, AND 128-2 "BRIEF /
MEMORANDUM IN SUPPORT OF BRIAN DAVID
HILL'S "MOTION UNDER 28 USC § 2255 TO
VACATE, SET ASIDE, OR CORRECT
SENTENCE BY A PERSON IN FEDERAL
CUSTODY"" (DOCUMENT #125) --
DECLARATION, ATTACHED EVIDENCE
EXHIBITS IN SUPPORT OF BRIAN DAVID
HILL'S § 2255 MOTION --**

United States of America v. Brian David Hill

(Brian D. Hill) (formerly USWGO Alternative News)

Brian David Hill v. United States of America

Criminal Case Number 1:13-cr-00435-1

Civil Case Number 1:17-cv-01036



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Page 1/2 - TRANSCRIPT FOR HUBERT J. ALVAREZ - 08/22/2015

**LETTER AND SMALL PORTION OF TRANSCRIPT TO PROBATION OVERSIGHT
BRANCH OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS**

**Declaration authorized and executed by Title 28 U.S. Code § 1746 under the laws of
the United States**

ADDRESSED TO

**ATTN: Hubert J. Alvarez, Probation Administrator, Program Oversight Branch,
Probation and Pretrial Services Office (PPSO)
Administrative Office of the United States Courts
One Columbus Circle NE., Washington, DC 20544**

Phone, 1-202-502-2600

Fax, 1-202-502-4099

CC:

**Attorney Renorda Pryor, Herring Law Center, PLLC, 16 W. Martin Street, Suite
307, Raleigh, North Carolina 27601, Phone 919-665-6737, Fax: 919-869-2367**

Dear The Honorable Hubert J. Alvarez,

Proof of perjury or lying on the stand by Kristy L. Burton the Government's witness is on record.

Page 27 - Cross Examination of USPO Burton by Attorney Pryor

Q Okay. And so let's talk about April 28th. I believe you said you went to his home to advise him about sending documents to the Court per judge's order?

A No. It was not per judge's order that I went to the home. I was contacted by the clerk's office and the marshals and was told that he was sending documentation electronically via MMS, multimedia messaging, and that they had directed him to stop doing that, but he had not done that. That's what I was there to address.

That is a lie as me and my mother Roberta Hill, Stella Forinash and Kenneth Forinash all heard Kristy L. Burton mention Judge Osteen calling USPO Burton over the text messaging. It was Judge Osteen behind USPO Kristy L. Burton's visit.

My statement under Declaration is that I did indeed hear that USPO Burton did mention Judge Osteen calling her, yes calling her and concerned over my Multimedia Text Messaging as you can send files including documents. That concerned Judge Osteen from what USPO Burton had told me and wanted me to stop text messaging

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anybody. I followed her instructions not to text message anybody per Judge Osteen's concerns. I even talked about this via my Facsimile FAX documents wanting to challenge Judge Osteen's concerns of my MMS messaging.

I had even faxed a Phone Call Transcript to which I also had presented as evidence to which Deputy Clerk Joy Daniel assigned to my Criminal Case 1:13-cr-435-1 told me on record that the Letter asking me not to file through MMS to the Clerk's general email address was caused by the "Judge," which at the time was William Lindsay Osteen Junior before being changed to Judge Thomas D. Schroeder. The order to properly file Court documents does have the Deputy Clerk's name Joy Daniel and the main Clerk's name John S. Brubaker if it is spelled correctly. Joy Daniel admits it was the Judge that had them to send a letter to me regarding proper filing of Court Documents. Then I sent a MMS text message I believe on April 26, 2015 or estimated around that day, explaining that I will follow proper filing procedures and rules, and after that I followed my word as I filed all future Pro Se filings at that time as envelope mailings. The future filings after that MMS filing was all done through U.S. Postal Service mailings, which can be proven by envelope scans by the Deputy Clerk. The text message to the Clerk's general email address are likely stored as a matter of government record. So the record can be used as evidence to prove that I was willing to be compliant with the Court filing rules days before USPO Burton had even shown up or even before she was contacted by Judge Osteen according to her own words however she never said when Judge Osteen called her. All I know was that she sounded furious or concerned on April 28, 2015 and she said she got contacted by Judge Osteen that day so I assumed she was called that day. The Deputy Clerk Joy Daniel admitted to me in the phone conversation that the order for proper filing of Court documents came from the JUDGE, which I may be able to reenact the conversation then legally record it as long as Federally, as well as in both the Commonwealth of Virginia and State of North Carolina, that all is one party consent to record the call.

I have proof that USPO Burton perjured on the stand. **Please take action on this!**
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 22nd, 2015

Brian D. Hill
Signed

SIGNATURE

August, 22 2015

Brian David Hill
Home Phone #: (276) 632-2599
916 Chalmers St., Apt. D
Martinsville, VA 24112

Brian D. Hill
Signed

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

3 UNITED STATES OF AMERICA) CASE NO. 1:13CR435-1
4)
5 vs.)
6 BRIAN DAVID HILL) Winston-Salem, North Carolina
7) June 30, 2015
8) 2:47 p.m.
9

10

11 TRANSCRIPT OF THE **SUPERVISED RELEASE VIOLATION HEARING**
12 BEFORE THE HONORABLE THOMAS D. SCHROEDER
13 UNITED STATES DISTRICT JUDGE

14

15 APPEARANCES:

16 For the Government: ANAND RAMASWAMY, AUSA
17 Office of the U.S. Attorney
18 101 S. Edgeworth Street, 4th Floor
19 Greensboro, North Carolina 27401

20 For the Defendant: RENORDA E. PRYOR, ESQUIRE
21 Herring Law Center, PLLC
22 16 W. Martin Street, Suite 307
23 Raleigh, North Carolina 27601

24 Court Reporter: BRIANA NESBIT, RPR
25 Official Court Reporter
26 P.O. Box 20991
27 Winston-Salem, North Carolina 27120

28 Proceedings recorded by mechanical stenotype reporter.
29 Transcript produced by computer-aided transcription.

30 USA v. Brian Hill -- SRV Hearing -- 6/30/2015

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USA v. Brian Hill -- SRV Hearing -- 6/30/2015

1 guess, with him?

2 A I guess my answer to that would be I have approached the
3 situation knowing all of the information from the presentence
4 report as easily as I could with as much knowledge as I could
5 have at the time.

6 Q Okay. And so let's talk about April 28th. I believe you
7 said you went to his home to advise him about sending documents
8 to the Court per judge's order?

9 A No. It was not per judge's order that I went to the home.
10 I was contacted by the clerk's office and the marshals and was
11 told that he was sending documentation electronically via MMS,
12 multimedia messaging, and that they had directed him to stop
13 doing that, but he had not done that. That's what I was there
14 to address.

15 Q Have you talked to anyone about multimedia messaging to
16 determine whether it is a way of sending messages Internet
17 base?

18 A I have spoken to some people about it. I would not say
19 that I am an expert at all, but my understanding is that it
20 uses an Internet service to send that documentation.

21 Q So you are saying that text messages as well as -- I'm
22 sorry. Let me go back. I apologize. You are saying that
23 multimedia messaging is a way to send via Internet?

24 A My understanding is, yes, that it uses an Internet
25 provider to do that, that the cell phone company routes it

1 UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF NORTH CAROLINA
3 CERTIFICATE OF REPORTER

4
5
6 I, Briana L. Nesbit, Official Court Reporter,
7 certify that the foregoing transcript is a true and correct
8 transcript of the proceedings in the above-entitled matter.

9
10 Dated this 21st day of August 2015.

11
12 
13 Briana L. Nesbit
14 Briana L. Nesbit, RPR
Official Court Reporter